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To-day are there any such enemies of England as those men who stir up in the public mind of Britain constant distrust of the nations of the continent, and thus push on the government to the building of more and ever more warships, with the money so deeply needed for feeding and clothing and housing and educating the people? The reason why a nation like England or Germany or France is in danger of having other nations fly at its throat, if any such danger exists, is because those other nations believe that it is ready, when a pretext arises, to fly at their throats. As there is no course so safe for an individual man as to behave himself and trust his fellows, so there is no course so safe for a nation as to behave itself and trust other nations. And as there is no course so dangerous for a man as to distrust everybody and go about arrogant and defiant and armed to the teeth, so no course is so dangerous for a nation as to distrust and antagonize other nations and depend for safety on armies and navies. The nation that is all the while looking for war and preparing for war will never be long without war, as the histories of all the leading military nations of the world show; while the nation that sincerely seeks peace will readily find it.

I do not believe there is a nation in Europe or America — at least a nation of any considerable size and importance — that could not with absolute safety to-morrow announce to the world: "From this time on we shall keep no army except simply enough for police purposes at home, and no navy except what may be necessary for police purposes on waters for which we are responsible; our policy hereafter will be peace; we shall commit no aggression; we shall try to treat all nations and all men justly and fairly; we shall cultivate among our own people a spirit of respect for other peoples; we shall do what in us lies to promote goodwill and brotherhood among all nations. If ever trouble arises between us and any other nation which we cannot peacefully settle between that nation and ourselves, we will submit it for settlement to the Hague Court, and abide by its decision." I say, I believe there is not an important nation of Europe or America that could not make such announcement as this to-morrow with perfect safety. Its security would be not simply as great as before, but very much greater. No nation would dare to attack it. No nation would wish to attack it. And how such a nation thus relieved from the staggering burden of modern militarism would forge ahead, in industries, in commerce, in the arts and sciences, in education, in the comfort and prosperity of its people! It would become the admired and the envied land of the whole civilized world.

And, believe me, one strong, influential nation, like France, or Germany, or Russia, or Great Britain, or the United States, or Canada, courageous enough and wise enough and foreseeing enough to take such a stand, would not long stand alone. Others would join her; others would be only too glad to join her when she led the way; nay, others would be compelled to join her or be left hopelessly behind in the race for prosperity, wealth, influence and leadership in the world. No! the nations of the world would need nothing else so much both for their prosperity and their safety as they need brotherhood.

We may fondly hope that the era of Alexander, Cæsar and Napoleon has passed, never to return. — *John W. Foster.*

The Strengthening of Article 8 of the Hague Convention.

A writer in the January number of the *International Journal of Ethics*, Mr. Waldo L. Cook of Springfield, Mass., makes a strong plea for the strengthening of Article 8 of the Hague Convention, "as the most likely method of securing a practical advance toward making wars less frequent in the immediate future." After discussing the failure of the Hague Convention to prevent the war between Russia and Japan, Mr. Cook cites the five wars of the past decade as giving, in his view, a gloomy outlook for the triumph of international peace. He contends that the manner in which the Russo-Japanese hostilities broke out, without a declaration of war, show that "international war at this point has certainly degenerated," and that Articles 2 and 3 of the Hague Convention (providing for the offer of good offices or mediation by neutral powers) have proved themselves inefficient in insuring a hiatus, for passion to cool down, between a diplomatic rupture and resort to arms. We quote, somewhat condensed, the passages of the article in which he urges the strengthening of Article 8 (providing a form of special mediation) from the voluntary into the mandatory form:

"The failure of this article* to make itself felt in the ante-bellum period of the recent war was no less complete than that of the other articles referred to. It might as well have been employed to prevent the Chicago fire as to prevent the far eastern conflict. Yet this is the article which seems to afford the most hope for a practical advance toward making wars less frequent in the immediate future. Obviously, it was ignored by the governments at Tokio and St. Petersburg because they were not in the least bound by its terms. The general method suggested for delaying a military collision which may appear imminent is excellent; but the recent experience demonstrated that it will never come into use by great powers on the verge of war so long as its application is merely 'recommended,' 'when circumstances allow,' to governments at variance. But if this method of conciliation could be made a solemn *obligation*, resting upon every signatory of the Hague Treaty, the good it would do might be beyond one's power to estimate. With a hiatus of even thirty days between a diplomatic rupture and a resort to arms, imposed by treaty upon possible or probable belligerents, during which period seconds should seek a basis for a friendly understanding, we could be indifferent whether or not the practice of sending formal ultimatums and making formal declarations of war disappeared from the customs of nations.

"The method of calling in seconds at a critical point in a controversy is drawn from the dueling code, but as

*ART. 8. The signatory powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:

"In case of a serious difference endangering the peace, the states at variance shall each choose a power, to whom they intrust the mission of entering into direct communication with the power chosen on the other side, with the object of preventing the rupture of pacific relations.

"During the period of this mandate, the term of which, unless otherwise stipulated, cannot exceed thirty days, the states in conflict shall cease from all direct communication on the subject of the dispute, which is regarded as having been referred exclusively to the mediating powers, who shall use their best efforts to settle the controversy.

"In case of a definite rupture of pacific relations, these powers remain charged with the joint duty of taking advantage of every opportunity to restore peace."

here applied the seconds are presumed not to foment the quarrel, but to do all in their power to end it peaceably. The great advantage of the article comes, of course, from the thirty days' clause, which provides for a period of reflection among the peoples of the antagonistic nations and affords also a last chance for the friends of peace to make an earnest effort to prevent hostilities. . . .

"The great desirability of having Article 8 made mandatory upon the signatories to the treaty cannot be successfully controverted. As the treaty stands, the article merely offers a suggestion.

"The only way to 'insist' upon nations adopting the procedure of Article 8, before setting their armies and navies in motion, is to make it mandatory. The amendments necessary to execute this purpose are especially a task for international lawyers and those expert in the phraseology of treaties, but the necessary stiffening of the article would be effected if the first paragraph were made to read like this:

"ART. 8. The signatory powers *shall* accept special mediation in the following form:

"In case of a serious difference endangering peace, *before a resort to arms*, the states at variance shall choose, etc."

"Such an article in a treaty signed by all the governments within the pale of international law would have a decided influence for peace. The nation that ignored it and precipitated war, whether in a passion or with cool deliberation, would have had its moral position undermined in the court of the world's opinion. How solicitous in our time are belligerents, or intending belligerents, to win the sympathy of neutral nations has been shown with fresh emphasis in the immediate past. It was highly important to Japan to have the moral support of the people of America, and there was nothing more interesting in Count Witte's conduct, while engaged in the Portsmouth peace negotiations, than his skillful courting of American public opinion in support of his diplomatic attitude toward the Japanese peace terms. World sentiment is a growing power; attempts to cajole, mislead or deceive it are tributes to its enormous influence. Japan even stationed unofficial ambassadors in England and America during the late war to devote themselves particularly, among other things, to the study of popular sentiment and to educating it in harmony with Japanese interests. With Article 8 made mandatory, could the powers on the verge of war safely defy the moral sentiment of mankind by ignoring it? It may be said that, as this article was ignored, as it now stands, without exciting the slightest animadversion, the ignoring of the amended article might be equally successful. It is to be considered, however, that no one before could have regarded Article 8 as a serious obstacle to war; the world understood that no power had covenanted most solemnly to follow this very definite procedure. The procedure had merely been 'recommended' to the distinguished consideration of quarreling governments. But say 'shall' to them, in this connection, and have the word sustained by that moral influence with which mankind even in its most barbarous stages has always sanctioned solemn treaty obligations — could powers in controversy then defy this article with impunity? Certainly not, if we can trust at all to the development of ethical sensitiveness in international relations as the outcome of the modern interplay of national consciences.

"Article 8 in the 'shall' form would not insure us against wars. By no means. At the end of the thirty days, the foes could strike their blows to their hearts' content, in strict conformity with the code. Even then there would be a gain for civilization, if nothing more were accomplished than the nullifying of the present practice of suddenly precipitating hostilities without a formal declaration. It is of interest, however, to observe the effect which the article, as amended, would probably have had upon the outbreak of some of the wars in the past generation, had it been in force during that period.

"The Franco-Prussian war of 1870 could not have been declared when it was, by France, had this Article 8, amended, confronted the governments of Paris and Berlin. To be sure, Bismarck desired war with France. He felt 'convinced that the gulf' between north and south Germany 'could not be more effectually bridged over than by a joint national war against the neighbor who had been aggressive for centuries.' A statesman with such a purpose might sooner or later have brought on war in spite of all obstacles. But he could not have brought it on, as he did, by his garbling of the Ems telegram and the deliberate inflaming of the French people by faked press dispatches concerning the personal relations between the King of Prussia and the French ambassador, Benedetti. Bismarck's calculating purpose in garbling the Ems telegram was to incite the French to declare war. It (the garbled version) 'will have the effect of a red rag upon the Gallic bull. . . . It is important that we should be the ones attacked, and this Gallic overweening and touchiness will make us so, if we announce in the face of Europe, so far as we can without the speaking tube of the Reichstag, that we fearlessly meet the public threats of France.' How well he succeeded in his design, the French people know to their bitter cost. The Ems dispatch, garbled, was published early July 14, 1870. At midnight the French government decided to make war; on the 15th, war was declared and the French army mobilized. The French government and *Corps Legislatif* had acted in a moment of incredible passion and folly and had gone into hostilities with so little soberness and for an object so little worthy of the life of a single guardsman that a period of reflection prior to the resort to arms could scarcely have failed to demonstrate to them the fatuity of their course.

"A period of thirty days injected into the situation at that critical point, to be used in accordance with the procedure of Article 8 of the Hague Treaty, would have allowed time for the truth to become known and for reason to assert itself. Indeed, Bismarck would not have used the tricky expedient that he did had he confronted such a system of postponement of hostilities as we are now contemplating.

"Scarcely less impressive as an illustration of the possible effect of Article 8 of the Hague Treaty, as amended, is the story of the rupture between Russia and Japan. The St. Petersburg correspondent of the *London Times* last summer reported at a considerable length the account given by the *Slovo*, a well-known St. Petersburg paper, of the final diplomatic rupture between the two governments. It will be recalled that in the last hours of the negotiations, in January-February, 1904, the vital issue was narrowed down to the question whether Russia would abandon her demand for a buffer

territory between Manchuria and Korea. The world remembers that a certain belated dispatch was sent from St. Petersburg to Tokio, by way of Viceroy Alexieff, containing the last Russian reply, and that before this dispatch finally reached Tokio the Japanese minister had been recalled from St. Petersburg and the die had been cast for war. Now, in that dispatch the Czar abandoned his demand for a buffer between Manchuria and Korea. How Japan happened to recall her minister, without having received the dispatch in question, is thus explained in the St. Petersburg correspondence of the *Times*:

"It will be remembered that the terms of Russia's final reply were drafted at a meeting held on January 28, under the Grand Duke Alexis, at which Count Lamsdorff, General Sakharoff and Admirals Avellen and Abasa were present. All, with the exception of Admiral Abasa, agreed to waive Russia's demand for a buffer state. Admiral Abasa presented a minority report, which, together with the draft approved by his colleagues, was submitted to the Emperor four days later. Meanwhile Count Lamsdorff, not knowing whether the Emperor would approve the opinion of Admiral Abasa or that of the majority, declined to give Mr. Kurino any information. On the other hand, Admiral Abasa entered into communication with Mr. Kurino, and, before the Emperor could decide, gave the Japanese minister his own version of the reply, and Mr. Kurino promptly communicated it to Tokio. Admiral Abasa's position as manager of affairs on the committee of the Far East, and as a person enjoying great influence at court, satisfied the Japanese that he rightly interpreted the views of his government, and that Russia's reply was a refusal. Nevertheless, the Japanese waited two or three days more before breaking off negotiations."

"It was, then, according to this account, the false impression given to Minister Kurino by Admiral Abasa of the Czar's decision concerning the buffer state that convinced the Japanese government of the uselessness of further negotiations, and compelled it to strike without awaiting the official Russian reply at Tokio. It was a critical moment. Special mediation at that point by friendly neutral governments, with the compulsory thirty days' period of delay, might have deferred the Russo-Japanese War, if it had not rendered it impossible."

"If Article 8 cannot be made mandatory, it is difficult to conceive how immediate progress can be made, on practical lines, toward the lessening of the chances of war, through the system created by the Hague Treaty. Compulsory arbitration, except within a restricted range, is too remote to be seriously considered at present by practical statesmen. Not one of them is ready to tolerate the idea with reference to issues that effect 'national honor,' 'national integrity' or 'vital' national interests. 'No nation represented at The Hague in the past, or likely to be represented there in the future, will ever adopt universal obligatory arbitration on all questions.' Such is the matured opinion of the chairman of the American delegation to the Hague Conference of 1899.* Equally futile is it now to urge upon the great powers the general acceptance of the principle that distinguishes the new treaty of separation between Norway and Sweden, to the effect that when a question arises as to whether a certain dispute comes within the jurisdiction of the Hague tribunal, as defined in the limited arbitration treaties, that question shall itself be submitted to the Hague tribunal for final decision."

"Compulsory arbitration being unattainable, except

possibly in a certain class of questions which by facile agreement do not affect 'vital interests or the national honor of the contracting states,' the strengthening of Article 8 of the Hague convention by the approaching international congress becomes the next practical step in the development of the peace idea, and in support of it the friends of the peace and arbitration movements might well concentrate their labors and influence. This much may be achieved because it is practical; and it is worth achieving because it marks a distinct, tangible advance toward the goal whither civilization is ever struggling."

"Not even the limitation of armaments by international agreement would be so uncompromising an advance toward peace. In support of limitation there are strong arguments, especially those of a financial nature, which impress upon us the burden of modern taxation for military purposes—a burden that becomes heavier decade by decade, owing to the competition in armaments between the great powers and to the rapid progress of mechanical invention and the chemistry of explosives."

"Nor ought we to ignore a certain excitation to war, akin to hypnotic suggestion, which the endless rivalry in armaments causes in the popular mind. Yet the limitation of armaments would not bring an end to wars. If all nations were as inadequately prepared for hostilities as were the North and South in 1861, and were kept in that condition by treaty agreements, wars would continue to be waged whenever national pride, national interests, national passion became uncontrollable. The limitation of armaments would not strike at the heart of the problem, which is nothing else than the firm establishment of peace as the inviolate relation between the nations of the earth."

"While it is futile to attempt the immediate establishment of an ideal, public opinion will not outrun practical possibilities if it demands from the next peace conference at The Hague something besides discussions of and agreements upon questions which are merely the by-product of war itself. Nothing would be done by that congress to lessen wars in the future if it should be content to consider only such questions as the rights of neutrals, the exemption from capture at sea of private property not contraband of war, the rules concerning the treatment and care of the wounded in battles, the use of wireless telegraphy, the privileges of belligerent ships at neutral ports, the use of marine mines in the defense of blockaded harbors and the precise nature and application of the doctrine of contraband—all of them questions of much importance in international law, yet, with scarcely an exception, pertaining to the proper conduct of the wars that break out. Nor would the world make much progress toward the abolition of war by the establishment of compulsory arbitration within the narrow limits to which compulsory arbitration has thus far been consigned. We should note the distinction that while compulsory arbitration, within the limitations and qualifications always insisted upon, would diminish the possible *pretexts* for war available to the hands of belligerent-minded statesmen, still *pretexts* would never be lacking to statesmen who were not indifferent to the possible advantages of the war policy."

"In the last resort, public sentiment must ever be responsible for the peace of mankind. No amount of

* Dr. Andrew D. White's letter to the Lake Mohonk International Arbitration Conference, dated May 24, 1905.

elaborate machinery can shift the final responsibility otherwise. If, at critical points, provision can be made for the possible cooling of the war spirit, if the moral sense of the world can impose upon the disputants a substantial pause for reflection and the critical examination of facts and tendencies, before they take the dread leap into the "alembic of hell," the responsible public opinion may perhaps be pierced through and through by the conscience of humanity and transformed into an overwhelming force for peace. It is such a pause — and surely it could never be for ill — that can now be imposed upon the whole family of nations by making Article 8 of the Hague Convention say the imperious 'Thou shalt,' instead of the impotent 'We recommend to thee.'

New Books.

CHRISTIANITY AND PATRIOTISM. By Count Leo Tolstoy. Chicago: The Open Court Publishing Co. 98 pages. Price, postpaid, 40 cts.

Tolstoy's "Christianity and Patriotism" was first published in Geneva, in Russian, about ten years ago, but had only a limited circulation in that form. The present translation into English, made by Paul Borger, was published originally in *The Open Court*, of Chicago. The essay, which covers fifty pages, sets forth Tolstoy's oft-repeated, and now mature, views of patriotism as it has been conceived and practiced in Europe from time immemorial. Though his condemnation of all patriotism is extreme, and though he fails to see that there is a righteous and noble love of country, which is compatible with love of humanity in its truest and broadest sense, yet his characterization of the type of patriotism which has filled the world with international hatred, contempt and strife, is not drawn in colors any too deep and striking.

The book contains, besides this essay, extracts from four other writings, which set forth Tolstoy's general conception of world-affairs, and an epilogue by Dr. Paul Carus.

OUR CIVIC IMAGE AND OUR GOVERNMENTS. By Henry Hardin Cherry. Bowling Green, Kentucky: Southern Educational Publishing Company.

This book deals with the various problems of government as they present themselves in this country — self-government, good citizenship, civic growths, patriotism, universal brotherhood, the national government, etc. It discusses the law-making department, political parties, the organization and workings of Congress, state and local governments, municipal government, etc. The discussion proceeds largely from the point of view of the individual citizen, and the work is intended to constitute a course of study in civic character building and civil government.

Pamphlets Received.

ERZIEHUNG ZUM FRIEDEN; EINE ERNSTE MAHNUNG AN ELTERN UND LEHRER. Frankfurt a. M.: Gebrüder Knauer. Publication of the "Frankfurter Friedensverein."

THE CAUSES OF FAMINES IN INDIA. By Rev. J. T. Sunderland, M. A. A Paper read before the Canadian Institute. Address the author at Toronto, Canada.

PRO PACE; ALMANACCO ILLUSTRATO, for 1906. Milan, Italy: The "Unione Lombarda per la Pace," 21 Portici Settentrionali.

CONDITIONS IN THE CONGO STATE. Report of King Leopold's Commission Summarized. The Congo Reform Association, Tremont Temple, Boston, Mass.

EDMUND BURKE'S "A VINDICATION OF NATURAL SOCIETY." London: A. C. Fifield, 44 Fleet Street, E. C.

DAS ROTE LACHEN. (From the Russian.) By Leonid Andrejew. Berlin, S. 59. Scholz & Co. Price, 1.20 mk.

KAISER WERDE MODERN. Anonymous. Berlin, W. 35. Verlag von Hüpeden & Merzyn.

ALABAMA STATE BAR ASSOCIATION. Proceedings of the Twenty-Eighth Annual Meeting, at Montgomery, June 30, 1905.

PRESIDENT LILIAN M. N. STEVENS' ADDRESS, at the National W. C. T. U. Convention, Los Angeles, Cal., October, 1905.

SUGGESTIONS TO THE FRIENDS OF INTERNATIONAL ARBITRATION. From the Office of the Lake Mohonk Conference on International Arbitration, Mohonk Lake, Ulster Co., N. Y.

ALMANACH DE LA PAIX, 1906. Published in France by the "Association de la Paix par le Droit," Hôtel des Sociétés Savantes, Paris, France.

International Arbitration and Peace Lecture Bureau, 31 Beacon Street, Boston.

The following persons may be secured to give lectures, club talks and addresses before public meetings, churches, schools and other organizations on international arbitration and peace. Those wishing their services should communicate directly with them as to dates and terms.

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